

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK LAVELL WILLIAMS,

Petitioner,

-against-

STATE OF NEW YORK, et al.,

Respondents.

25-CV-2576 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated May 19, 2025, the Court dismissed this action without prejudice because Petitioner did not pay the \$5.00 in fees or submit an application to proceed *in forma pauperis* (“IFP”). The Clerk of Court entered judgment on May 20, 2025. (ECF 8.) On May 28, 2025, the Clerk’s Office received Petitioner’s IFP application, dated May 20, 2025. Because Petitioner has submitted his IFP application, the Court vacates its order of dismissal (ECF 7) and civil judgment (ECF 8) and directs the Clerk of Court to reopen this matter.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Because Petitioner has not at this time made a substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

SO ORDERED.

Dated: June 2, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge